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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/581,712	10/16/2000	Guido Reeck	P-00,1260	4663

21171 7590 12/17/2002

STAAS & HALSEY LLP  
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EXAMINER

THOMPSON, GREGORY D

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 12/17/2002

13

Please find below and/or attached an Office communication concerning this application or proceeding.

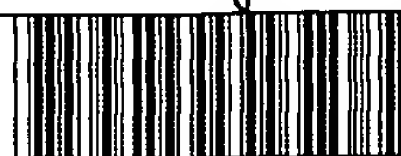
# Office Action Summary

Application No.  
09/581,712

Applicant(s)  
Reeck et al

Examiner  
Gregory Thompson

Art Unit  
2835



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Sep 4, 2002
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-19 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18 and 19 is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 8, 10-14, 16, and 17 is/are rejected.
- 7) ☒ Claim(s) 6 and 15 is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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1. Amendment to page 1, lines 28 and 29 not entered for lines do not match up. .
2. It appears all 112, second paragraph, rejections are overcome by amendment filed 9/4/02.

The 102(e) rejection using Ghorbani et al and 102(b) rejection using Fuglister withdraw since combination of filter, subassemblies and housing claimed per remarks on page 5 under heading "Rejection Under 35 U.S.C. §112".

The rejection of claims 1, 7-8 under 35 U.S.C. 102(e) as being clearly anticipated by Kawakita is maintained since a water repellant filter 16 is arranged in an air inlet filter with a cooling device coupled to opening 12a providing cooling into the apparatus 11 and the exhaust of hot air existing opening 12b. The control 20 would inherently contain electrical components, subassemblies or the like.

The rejection under 35 U.S.C. 103(a) over IBM and Kobayashi withdrawn in view of argument with respect to numerous air flow openings in IBM.

The rejection of claims 1-5, 7-8, 10-14 16-17 under 35 U.S.C. 103(a) being unpatentable over Ghorbani et al in view of Kobayashi is maintained. Kobayashi is referred to as an "air cleaning filter" throughout the 13 disclosure. Dust removal taught in col. 4, lines 59-65.

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

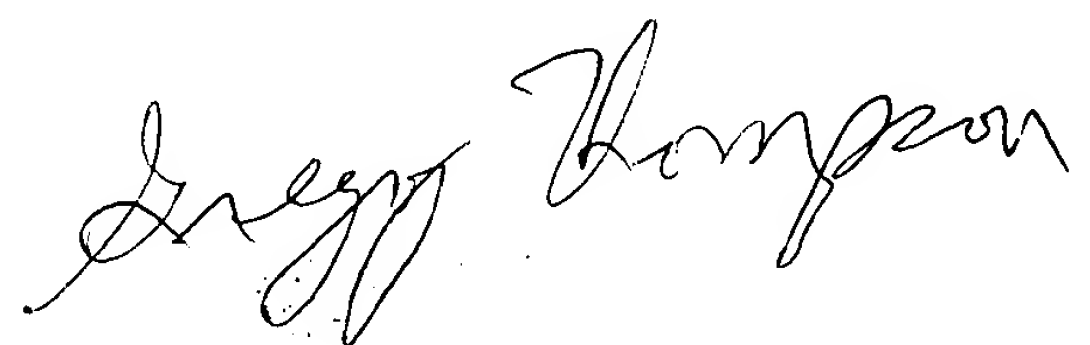
4. Claims 6, 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Claims 18-19 are allowed.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Thompson whose telephone number is (703) 308-2249. The examiner can normally be reached on Mon-Thur from 6:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg, can be reached on (703) 308-4215. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431 and 305-3432 for AF.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

A handwritten signature in black ink, reading "Greg Thompson". The signature is written in a cursive, flowing style. The first name "Greg" is written with a large, looped 'G'. The last name "Thompson" is written with a large, looped 'T' and a long, sweeping tail that extends to the right.